

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PETRACO OIL CO. LTD.,

Plaintiff,

Index No. 08cv03115 (PAC)

-against-

PROGETRA SA,


NOTICE OF MOTION TO
VACATE ATTACHMENT AND
DISMISS VERIFIED COMPLAINT

Defendant.
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PLEASE TAKE NOTICE that upon the annexed Affirmation of David I. Faust, Esq., affirmed on June 26, 2008, the accompanying Memorandum of Law in support of this motion and the pleadings herein defendant Progetra SA will move this Court, before Paul A. Crotty, United States District Court Judge, for an Order pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure and Rule E(4)(f) of the Supplemental Admiralty Rules to vacate the Rule B attachment and dismiss the verified complaint of Petraco Oil Co., Ltd.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
June 26, 2008

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